



## Testimony

**To: Representative Jerry Petrowski, Chair**  
**Members of the Assembly Committee on Transportation**  
**From: LuAnne Barnet, President**  
**Date: Thursday, February 14, 2008**  
**Re: Opposition to Assembly Bill 665**  
**New Requirements on Vehicles Transporting Elderly or Disabled Persons**

On behalf of the membership of the Residential Services Association of Wisconsin (RSA-Wisconsin), we urge all committee members to **OPPOSE ASSEMBLY BILL 665.**

It appears that many long-term residential care providers would be impacted by this legislative proposal; since many home and community-based care providers do offer transportation to the persons we serve. Often, community-based care providers do not have separate transportation contracts and therefore rely on existing employees or in some situations on volunteers to meet the transportation needs of the individuals we serve.

Although this legislation maybe based on good intentions, our fear is that the bill would instead create an incentive for financially struggling home and community-based care providers to discontinue or reduce transportation opportunities to the persons they serve.

Another area of concern the committee needs to recognize is the reality that the majority of Wisconsin's long-term caregivers are female. Many women may not want to have their personal information displayed "conspicuously" in the vehicle, as this could be dangerous in many situations. Please keep in mind the diverse populations we serve.

**RSA-Wisconsin supports and does want to work with lawmakers to improve quality care and safety in Wisconsin's long-term care system. However, the long-term care profession can no longer accept mandates that will increase operational costs, when at the same time lawmakers refuse to provide adequate reimbursement for necessary care services.**

Please keep in mind that many of the long-term care programs that individuals with disabilities rely upon have received minimal or no general rate increases. Some programs have done without rate increases for over a decade (i.e. Medicaid, CIP, COP, Community Aids, Family Care, etc.). This state of insufficient reimbursement coupled with new government mandates/regulations; ever increasing liability insurance and health insurance premiums; and, significant increases in fuel and utility costs is placing long-term care providers in a precarious situation.

It is a sad fact that the reimbursement rates for state long-term healthcare programs are woefully inadequate to cover the actual costs of providing quality care to Wisconsin's most vulnerable population, individuals with disabilities.

As a lawmaker, please be honest with yourself and with your colleagues. If a long-term health care provider has not received a rate increase from the Legislature in years and cannot even hope for any relief until the next biennial budget cycle (July 1, 2009) - isn't our state government essentially guilty of forcing long-term healthcare providers into making questionable financial and program cuts that could jeopardize quality care?

The inaction and deliberate under funding of long-term care equates to Wisconsin Government sanctioning an environment of deteriorating quality care and promoting inadequate wages to direct care workers. This situation is intolerable and will lead to quality of care problems.

Again, please oppose Assembly Bill 665 and placing any new mandates on the healthcare profession that will increase operational costs, at least until the Governor and Legislature step up and begin reimbursing long-term healthcare providers for the actual cost of providing care.

The greatest threat to quality healthcare today is inadequate reimbursement by the state.

Thank you.

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**RSA Wisconsin**

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Wisconsin Coalition of Independent Living Centers  
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Date: 2/12/08

To:

From: Wisconsin Coalition of Independent Living Centers

Subject: Transportation Provider ID – AB 665

Safe, affordable, and accessible transportation for person with disabilities is one of the most difficult services to access in Wisconsin. The Wisconsin Coalition of Independent Living Centers (WCILC) is a statewide not for profit coalition of eight Independent Living Centers, whose mission is to promote the rights of people with disabilities of all ages to live independently and to be active participants in community life. Without transportation, persons with disabilities will not be independent or active participants in their communities.

AB 665 requires that Human Service Vehicles (HSV), specialized medical vehicles (SMV), and caregiver – related entities that own, operate, or contract for the operation of any transportation vehicles for persons with disabilities to issue each operator of the vehicle an identification card containing the person's name and photograph, and identify the person as an operator on behalf of the agency. This bill also requires that this identification be conspicuously displayed and that it includes name, address, and phone number of entity or provider.

WCILC and the Survival Coalition strongly support AB 665 as it does not negatively impact the accessibility or affordability of transportation for persons with disabilities, while at the same time it does strengthen the safety of transportation. People who are being transported by providers will be able to clearly see the identification that should alleviate any concerns about their identity.

Maureen Ryan

Executive Director, Wisconsin Coalition of Independent Living Centers

Co-Chair, Survival Coalition

## **Board for People with Developmental Disabilities**

(formerly the Wisconsin Council on Developmental Disabilities)

Date: February 14, 2008

To: Representative Jerry Petrowski, Chair  
and Members of the Committee on Transportation

From: Jennifer Ondrejka, Executive Director

Re: Support for AB 665

The Board for People with Developmental Disabilities is a state agency, enabled and funded through the federal Developmental Disabilities Act. One of the goals of that Act is for people with DD to take part in their communities to the fullest extent possible. Transportation is often a barrier to people with disabilities and a major concern to the Board.

The Board appreciates Rep. Krusick's willingness to work with disability advocates and is proud to be listed as a requester. AB 665 addresses safety issues in transportation. Unlike bus drivers, drivers of Human Service Vehicles and Specialized Transportation Services are usually not uniformed personnel. Requiring driver and vehicle identification for such programs is a common-sense approach to assuring that people with disabilities and the frail elderly have the same confidence in their transportation providers as does any citizen who rides in a taxi.

Thank you for your consideration of this testimony. If you have any questions, please contact me at (608) 266-1166 or [ondrejkm@dhfs.state.wi.us](mailto:ondrejkm@dhfs.state.wi.us).

Good morning and thank you for taking the time to hear my testimony regarding AB-665. My name is Laurie Hintz, and I have worked with our most vulnerable citizens for 19 years. During my tenure, I have seen the pendulum continue to swing. When I began, the industry was just beginning to embrace the idea of full inclusion – bringing those with disabilities out of institutions to lead full lives in their local communities. Today, I see the pendulum slowly going back to where we began. This time, it's not taking the same route, but the effects will be the same. Each mandate these days comes one step closer to completely eroding the privacy of each direct support worker, while at the same time moving ever closer to creating mini-institutions. The original goal of community placements – whether in CBRFs, AFHs, RCACs or smaller, more personalized settings – were the concepts of “normalization” and “deinstitutionalization”.

I have worked for a number of providers over the last 19 years, and only one provided vehicles for the homes to use. They had to – the majority of their homes were large CBRFs – 12 – 15 individuals living together and only one staff on duty. Every other organization I have worked for has relied upon its employees or volunteers using their personal vehicles to transport the individuals we serve. You wonder how my privacy is being eroded with this bill? According to Section 6 (d) 2., before I could drive anyone I support to the grocery store, salon, doctor, or other location, “the name, address, and telephone number of either the person to whom the vehicle is registered or caregiver-related entity on behalf of which the vehicle is operated is prominently displayed on the vehicle”. It is my personal vehicle. I do not want to place my information on my car, or put my employer's information on my car. As soon as I place a label on my personal vehicle, my insurance rates are going to increase significantly because my personal vehicle now becomes a business vehicle. There is no employer in the long-term residential care industry that has the extra revenue to supplement my insurance costs, or pay for the damage to my vehicle from the sign that has to be placed upon it.

As for the majority of individuals we serve, the posting of an identification card in the vehicle seems ludicrous. Those of us providing the transportation are the same staff working the shifts in the homes. The individuals we serve know us well. Many of us spend more time with them than our own families. We have been working our hardest to help each of them lead “regular” lives like the rest of us. We try not to have our services stand out – we are supposed to be in the background as an asset and a support. Not out in everyone's face as a blatant label for those we serve that cries out: “Look at me, I receive services”. It is degrading and insulting to our most vulnerable citizens, yet that is an unintended consequence of this legislation.

Certainly, there need to be precautions in place for transportation companies. The number of individuals transported in a day can reach astronomical numbers. Taxi drivers have an id posted – it makes logical sense when these types of employees are transporting virtual strangers. However, there are precautions already in place for those who only transport the individuals they serve.

The vast majority of service providers in the state are fully vested in providing care that is of the highest quality, which includes the safety and well-being of each person we support. As always, the trade associations that give a unified voice to our concerns are more than willing to work with legislators to further that cause. Unfortunately, what this particular bill will do is force many providers to cease transportation services – further limiting the potential for the individuals we serve to lead full, inclusive lives in their communities.

**Comments to Assembly Committee on Transportation  
Regarding AB665**

**Shel Gross, Director of Public Policy  
Mental Health America of Wisconsin  
(formerly the Mental Health Association)**

My name is Shel Gross. I am Director of Public Policy for Mental Health America of Wisconsin (MHA) and I am also one of the Co-Chairs of the Survival Coalition of Wisconsin Disability Organizations.

Safe, affordable, and accessible transportation services are critical if older adults and persons with disabilities are to be independent and active participants in their communities. AB 665 addresses a deficiency in current state law regulating transportation services which can result in people who use the services feeling less safe. The law arises directly out of an expressed concern from a citizen related to transportation in unmarked vehicles by unidentified drivers. AB665 simply requires that human service vehicles, specialized medical vehicles, and caregiver – related entities that own, operate, or contract for the operation of any transportation vehicles for persons with disabilities to issue each operator of the vehicle an identification card containing the person's name and photograph, and identify the person as an operator on behalf of the agency. This bill also requires that this identification be conspicuously displayed and that it includes name, address, and phone number of the entity or provider. With this requirement, persons using these services can be assured that the person who is transporting them is, in fact, a bona fide provider of these transportation services.

MHA and the Survival Coalition strongly support AB 665 as we believe it does not negatively impact the accessibility or affordability of transportation for persons with disabilities, while at the same time it does strengthen the safety of transportation. People who are being transported by providers will be able to clearly see the identification that should alleviate any concerns about the identity of the drivers. The bill also exempts those individuals who may be transporting someone as a natural support (a friend, neighbor or relative) who is selected by the individual from needing to comply with these requirements.

WISCONSIN STATE ASSEMBLY



**PEGGY KRUSICK**  
STATE REPRESENTATIVE

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TO: Members, Assembly Committee on Transportation  
FROM: Peggy Krusick  
DATE: February 14, 2008  
SUBJECT: Support for AB 665 (ID Requirements for Elderly and Disabled Vans)

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I respectfully request your support for Assembly Bill 665. This bill creates new identification requirements for certain vehicles and drivers that transport senior citizens or individuals with disabilities.

Max Rozewski, a volunteer ombudsman with the Wisconsin Board on Aging and Long Term Care, requested this legislation after nursing home residents in the Milwaukee area complained to him about being transported in unmarked vans driven by drivers who did not have visible identification. In some cases, these residents had no idea who was driving them to their appointments or the company they worked for. Attached is a copy of a letter Max wrote explaining the need for this legislation.

**The Bill**

Requires photo IDs for drivers of (1) vehicles owned, operated or contracted for by caregiver-related entities; (2) government-funded specialized transportation services; and (3) for-hire handicap accessible van services ordered by a doctor.

Requires the driver's photo ID to be conspicuously displayed in clear view of all passengers in the vehicle.

Requires the name, address and phone number of the specialized transportation service owner, caregiver-related entity, or provider of handicap accessible van services to be displayed prominently on each side of the vehicle.

Does not require vehicle signage or driver IDs for individuals or volunteers who transport their elderly or disabled friends or neighbors to medical appointments or for errands.

**Rationale**

Going to a doctor's office or hospital can be stressful enough to begin with. Having to be transported there in an unmarked van by an unknown driver only makes things worse.

Elderly and disabled recipients of specialized transportation services have a right to simply know who is driving them to their medical or other appointments and the company they work for.

**Supporters**

AARP-Wisconsin, Board on Aging and Long-Term Care, Coalition of Wisconsin Aging Groups, Disability Rights Wisconsin, Survival Coalition of Wisconsin Disability Organizations and Wisconsin Council on Developmental Disabilities.

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Feb 8, 2008

Jerry Petrowski  
State Representative  
Chairman Transportation Committee  
Madison, WI 53708

Dear Chairman Petrowski:

I am the Volunteer Ombudsman, working for the State of Wisconsin Board of Aging & Long term Care, who spoke with you by phone on Jan 24, 2008, about my support for 2007 Assembly Bill 665. I am unable to attend the public hearing on this Bill, so I am sending my comments. I go to two nursing homes in West Allis and sometime in 2004, two residents at one of my facilities asked me "why some of the vans transporting residents don't have the name of the company displayed on the vans and why the drivers are not wearing name tags? They said we residents don't have any idea at times who these companies are and who is picking us up." I had no answer for them. I went to the Administrator, she checked and got back to me and said she was told there is no requirement.

I then contacted Peggy Krusick, because before I retired from the MFD, she was my Representative and I knew she was a strong advocate for the aged. I have been working with her since and she has kept me up to date on the progress of getting some State legislation, protecting these vulnerable residents.

I can not see why these companies or individuals who are operating these transport vans, and are making money on this business, are not proud enough of their company or business name, that they don't want to advertise who they are. I also strongly believe that anyone who picks up these residents should be wearing a name tag prominently displayed, so the residents know who is actually picking them up. Checking to see that all staff at my facilities are wearing name tags is one of my priorities, so the residents know who they are speaking to and who is speaking to them. This is merely treating the residents with the respect and dignity they are entitled to.

We should all remember that for most of these residents, they are being picked up from their present home, the nursing home. They are being taken elsewhere, most generally to either a Dr. or a Hospital appointment, which can be traumatic to begin with, then being taken in a van with no name and a driver without any name tag, is not making for a comfortable, relaxing ride.

I strongly urge the Transportation Committee to approve 2007 Assembly Bill 665 and move it forward to future enactment. This would be a nice tribute to resident Delores one of the residents who spoke to me on this issue, as she has since passed away in July of 2007.

Respectfully,

*Mat A. Rozowski*  
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